

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MURAD WILLIAMS,

Petitioner,

Civil No. 2:07-CV-15376
HONORABLE ARTHUR J. TARNOW

v.

THOMAS BIRKETT,

Respondent,

/

**OPINION AND ORDER DENYING RESPONDENT'S MOTION FOR
RECONSIDERATION RELEASING PETITIONER ON BOND**

On March 6, 2012, this Court ordered the Clerk of the Court to reopen the petition to the Court's active docket following the Sixth Circuit's remand to this Court for further proceedings. The Court also ordered that the Federal Defender Office be appointed again to represent petitioner. The Court ordered that petitioner be released on a personal recognizance bond during the pendency of these proceedings in the district court. Lastly, the Court set deadlines for the parties to file pleadings in this matter.

Respondent has now filed a motion for reconsideration of the Court's decision to release petitioner on personal bond. For the reasons that follow, the motion for reconsideration is DENIED.

U.S. Dist.Ct. Rules, E.D. Mich. 7.1 (h) allows a party to file a motion for reconsideration. A motion for reconsideration should be granted if the movant demonstrates a palpable defect by which the court and the parties have been misled

and that a different disposition of the case must result from a correction thereof. *Ward v. Wolfenbarger*, 340 F. Supp. 2d 773, 774 (E.D. Mich. 2004); *Hence v. Smith*, 49 F. Supp. 2d 547, 550-51 (E.D. Mich. 1999) (*citing* L.R. 7.1(g)(3)). A motion for reconsideration which merely presents “the same issues ruled upon by the Court, either expressly or by reasonable implication,” shall be denied. *Ward*, 340 F. Supp. 2d at 774.

Respondent’s motion for reconsideration will be denied, because respondent is merely presenting issues which were already ruled upon by this Court, either expressly or by reasonable implication, when the Court decided to release petitioner on personal bond while this case is on remand from the Sixth Circuit. See *Hence v. Smith*, 49 F. Supp. 2d at 553.

ORDER

IT IS HEREBY ORDERED that the motion for reconsideration [Dkt. # 49] is DENIED.

S/Arthur J. Tarnow

Arthur J. Tarnow
Senior United States District Judge

Dated: March 13, 2012

I hereby certify that a copy of the foregoing document was served upon parties/counsel of record on March 13, 2012, by electronic and/or ordinary mail.

S/Catherine A. Pickles

Judicial Secretary